

REMARKS/ARGUMENTS

In view of the foregoing amendments and the following remarks, the applicants respectfully submit that the pending claims are not rendered obvious under 35 U.S.C. § 103. Accordingly, it is believed that this application is in condition for allowance. If, however, the Examiner believes that there are any unresolved issues, or believes that some or all of the claims are not in condition for allowance, the applicants respectfully request that the Examiner contact the undersigned to schedule a telephone Examiner Interview before any further actions on the merits.

The applicants will now address each of the issues raised in the outstanding Office Action.

Rejections under 35 U.S.C. § 103

Claims 18, 19, 21 and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0086005 ("the Nakamura publication") in view of U.S. Patent Application Publication No. 2003/0193585 ("the Ogura publication"). The applicants respectfully request that the Examiner reconsider and withdraw this ground of rejection in view of the following.

First, independent claim 18 has been amended and incorporates some features of previously presented claim 19. Specifically, claim 18 has been amended to recite that the solid-state image sensing apparatus further comprises line memories which are arranged between the

pixels and the output channels and which temporarily store pixel signals of the pixels selected and read out in the first driving mode or the second driving mode, and that the control circuit, which sets a driving mode to one of the first driving mode and the second driving mode based on an externally input signal, is arranged between the pixels and the line memories. These amendments are supported, for example, by previously presented claim 19, Figures 1 and 7, page 7, lines 14-27 and page 19, lines 17-19.

In rejecting previously presented claim 19, the Examiner contends that the Nakamura publication teaches the aforementioned features. Specifically, the Examiner characterizes the "line buffer in the image circuit 6" described in the Nakamura publication as the line memories recited in previously presented claim 19. (See Paper No. 20080904, page 5.) The applicants respectfully disagree.

Figures 1 and 7, 12-1 to 12-m and 22-1 to 22-m (capacitive element or condenser) show line memories consistent with those recited in claim 18, as amended. As can be appreciated from Figures 1 and 7, and as recited in claim 18, as amended, the lines memories are clearly arranged between the pixels and the output channels.

By contrast, the image processing circuit 6 in the Nakamura publication is clearly arranged after Analog/Digital ("A/D") conversion and, therefore, is arranged outside an imaging sensing element. (See Figure 1 of the Nakamura publication.) The "line buffer in image processing circuit 6", which the Examiner characterizes as teaching the claimed line memories, is

also arranged outside an *imaging sensing element*. Thus, the "line buffer" described in the Nakamura publication neither teaches, nor makes obvious, the lines memories described in embodiments consistent with the claimed invention since the "line buffer" described in the Nakamura publication exists outside the output channel.

In addition, in embodiments consistent with the claimed invention, the control circuit is *arranged between the pixels and the line memories*. This is neither taught, nor made obvious, by the references cited by the Examiner for the reasons discussed above. That is, since the "line buffer" described in the Nakamura publication exists outside (beyond) the output channel, the CCD driving circuit 3 of the Nakamura publication does not teach a control circuit which is *arranged between the pixels and the line memories* (wherein the line memories are arranged between the pixels and the output channels), as recited in amended claim 18.

The purported teachings of the Ogura publication fail to compensate for the aforementioned deficiencies of the Nakamura publication.

Thus, in view of the foregoing amendments and remarks, independent claim 18, as amended is not rendered obvious by the Nakamura and Ogura publications. Since claims 19, 21 and 22 depend from claim 18, these claims are similarly not rendered obvious by the cited references.

Claim 20 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the Nakamura publication in view of the Ogura publication, and further in view of U.S. Patent No. 5,150,204 ("the Yasuyuki Yamazaki patent").

The applicants respectfully request that the Examiner reconsider and withdraw this ground of rejection in view of the following.

Since claim 20 depends from claim 18, it is not rendered obvious by the Nakamura and Ogura publications in view of the Yasuyuki Yamazaki patent since the purported teachings of the Yasuyuki Yamazaki patent would not compensate for the deficiencies of the Nakamura and Ogura publications with respect to claim 18, as amended (discussed above), regardless of the scope of the purported teachings of the Yasuyuki Yamazaki patent, and regardless of the absence or presence of an obvious reason to combine these references. Consequently, claim 20 is not rendered obvious by the cited references for at least this reason.

Claim 23 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the Nakamura publication in view of the Ogura publication, and further in view of U.S. Patent No. 6,496,286 ("the Yoshiro Yamazaki patent"). The applicants respectfully request that the Examiner reconsider and withdraw this ground of rejection in view of the following.

Since claim 23 depends from claim 18, it is not rendered obvious by the Nakamura and Ogura publications in view of the Yoshiro Yamazaki patent since the purported teachings of the Yoshiro Yamazaki patent would not compensate for the deficiencies of the Nakamura and Ogura publications with respect to claim 18, as amended (discussed above), regardless of the scope of the purported teachings of the Yoshiro Yamazaki patent, and regardless of the absence or presence of an obvious

reason to combine these references. Consequently, claim 23 is not rendered obvious by the cited references for at least this reason.

New claims.

New dependent claim 24 depends from claim 18 and further recites that the line memories are capacitive elements arranged in every column. This is supported, for example, by Figure 7, page 7, lines 14-27 and page 19, lines 17-19.

Conclusion

In view of the foregoing amendments and remarks, the applicants respectfully submit that the pending claims are in condition for allowance. Accordingly, the applicants request that the Examiner pass this application to issue.

Any arguments made in this amendment pertain *only* to the specific aspects of the invention *claimed*. Any claim amendments or cancellations, and any arguments, are made *without prejudice to, or disclaimer of*, the applicants' right to seek patent protection of any unclaimed (e.g., narrower, broader, different) subject matter, such as by way of a continuation or divisional patent application for example.

Since the applicants' remarks, amendments, and/or filings with respect to the Examiner's objections and/or rejections are sufficient to overcome these objections and/or rejections, the applicants' silence as to assertions by the Examiner in the Office Action and/or to

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certain facts or conclusions that may be implied by objections and/or rejections in the Office Action (such as, for example, whether a reference constitutes prior art, whether references have been properly combined or modified, whether dependent claims are separately patentable etc.) is not a concession by the applicants that such assertions and/or implications are accurate, and that all requirements for an objection and/or a rejection have been met. Thus, the applicants reserve the right to analyze and dispute any such assertions and implications in the future.

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Respectfully submitted,



January 9, 2009

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I hereby certify that this paper (and any accompanying paper(s)) is being facsimile transmitted to the United States Patent Office on the date shown below.

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January 9, 2009

Date